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DATE MAILED: 01/12/2004

| APPLICATION NO.                                 | FILING DATE     | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO |
|---|-----------------|----------------------|---------------------|-----------------|
| 10/088,487                                      | 09/13/2002      | Kimio Kawagoe        | 020402              | 4895            |
| 23850   | 7590 01/12/2004 |                      | EXAMINER            |                 |
| ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP |                 |                      | HANNON, THOMAS R    |                 |
| 1725 K STRE<br>SUITE 1000                       | EET, NW         |                      | ART UNIT            | PAPER NUMBER    |
| WASHINGTON, DC 20006                            |                 |                      | 3682                |                 |

Please find below and/or attached an Office communication concerning this application or proceeding.

| مساه  |   |   | $\mathcal{N}$                              |
|---|---|---|--|
|   | Applicati n No.   | plicant(s)  |  |
|   | 10/088,487  | KAWAGQEETA  | <u></u>                                    |
| Offic Action Summary  | Examiner  | Art Unit  |  |
|   | Thomas R. Hannon  | 3682  |  |
| The MAILING DATE of this communication Peri df rR ply   | appears on the cover she  | et with the correspondence ac   | aaress                                     |
| A SHORTENED STATUTORY PERIOD FOR RE THE MAILING DATE OF THIS COMMUNICATIO  - Extensions of time may be available under the provisions of 37 CFF after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a  - If NO period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by stationary of the period by the Office later than three months after the meanmed patent term adjustment. See 37 CFR 1.704(b).  Status   | N. R. 1.136(a). In no event, however, m reply within the statutory minimum riod will apply and will expire SIX (6) atute, cause the application to beco   | hay a reply be timely filed  of thirty (30) days will be considered time  MONTHS from the mailing date of this of  me ABANDONED (35 U.S.C. § 133).  | ily.<br>communication.                     |
| 1) Responsive to communication(s) filed on _  |   |   |  |
| 2a) ☐ This action is <b>FINAL</b> . 2b) ☑ T   | his action is non-final.  |   |  |
| 3) Since this application is in condition for allo<br>closed in accordance with the practice under  |   |   | e merits is                                |
| Disposition of Claims   |   |   |  |
| <ul> <li>4)  Claim(s) 1-9 is/are pending in the application 4a) Of the above claim(s) is/are with the solution of the above claim(s) is/are allowed.</li> <li>5)  Claim(s) 1-9 is/are allowed.</li> <li>6)  Claim(s) 1-9 is/are rejected.</li> <li>7)  Claim(s) is/are objected to.</li> <li>8)  Claim(s) are subject to restriction and continuous claim cla</li></ul>  | drawn from consideration  |   |  |
| Application Papers  |   |   |  |
| 9) The specification is objected to by the Exam   |   |   |  |
| 10) The drawing(s) filed on is/are: a) a  Applicant may not request that any objection to   | ,   | •   |  |
| Replacement drawing sheet(s) including the cor  |   |   | :FR 1 121(d)                               |
| 11) The oath or declaration is objected to by the   | •   | • •   | ` ,  |
| Priority under 35 U.S.C. §§ 119 and 120   |   |   |  |
| 12) △ Acknowledgment is made of a claim for force a) △ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority docume 2. ☐ Certified copies of the priority docume 3. △ Copies of the certified copies of the papplication from the International Bure * See the attached detailed Office action for a 13) ☐ Acknowledgment is made of a claim for domesince a specific reference was included in the 37 CFR 1.78.  a) ☐ The translation of the foreign language 14) ☐ Acknowledgment is made of a claim for domesince was included in the first sentence of the foreign language 14. ☐ Acknowledgment is made of a claim for domesince was included in the first sentence of the foreign language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment is made of a claim for domesing language 14. ☐ Acknowledgment language 14. ☐ | ents have been received ents have been received oriority documents have been (PCT Rule 17.2(a)). list of the certified copies estic priority under 35 U.S first sentence of the sperovisional application has estic priority under 35 U.S | in Application No in Application No in Application No in Application and received. S.C. § 119(e) (to a provisional cification or in an Application as been received. S.C. §§ 120 and/or 121 since | al application) n Data Sheet. e a specific |
| Attachment(s)   |   |   |  |
| <ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statement(s) (PTO-1449) Paper No(</li> </ol>  | 5) Notice   | iew Summary (PTO-413) Paper Nor<br>e of Informal Patent Application (PTo<br>:   |  |

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Art Unit: 3682

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 1, the inclusion of the parenthetical subject matter of the last two lines renders the scope of the claim indefinite.

Claims 1-9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas R. Hannon whose telephone number is (703) 308-2691. The examiner can normally be reached on Monday-Thursday (6:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci can be reached on (703) 308-3668. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9326.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

Thomas R. Hannon Primary Examiner Art Unit 3682